IN THE HIGH COURT OF JUDICATURE AT BOMBAY,

NAGPUR BENCH, NAGPUR

WRIT PETITION NO.4263/2006

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Office Notes, Memoranda of Coram, appearances, Court's orders or directions : Court's or Judge's orders and Registrar's orders.

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CORAM **: A.B.CHAUDHARI**, J.
DATED **:** 29.3.2007

By the present writ petition, the petitioner has challenged the order made by the Hon'ble Deputy Chief Minister (Home) on 12.6.2006, allowing appeal preferred by respondent No.3 and directed Tahsildar to take fresh decision about the renewal of licence of touring talkies, run by respondent No.3. The Hon'ble Deputy Chief Minister (Home) has recorded a specific finding that respondent No.3 is running theatre for last seven years and there is nothing on record to show that there was any law and order problem because of running of touring talkies.

Shri Kilor, learned Counsel for respondent No.3 submits that prior to passing of the impugned order, reports were called from the police authority and those reports clearly suggested that there was no such law and order problem. Learned A.G.P. for respondent Nos.1 and 2 – State supported the impugned order.

At any rate, in my opinion it is the duty of the State to take care of law and order situation and the petitioner need not be

apprehensive about it. No doubt the petitioner has not been heard despite entering caveat before the Hon'ble Minister, but it would not be in the interest of justice now to reopen the issue. Tahsildar has already passed an order renewing their licence for touring talkies and the touring talkies is being run. Shri Kilor, learned Counsel makes a statement that recently Grampanchayat has issued no objection certificate to one more touring talkies.

I do not consider that the said fact would be of any relevance, but since I am upholding the order passed by the Hon'ble Deputy Chief Minister (Home), nothing survives in the present writ petition. The petition is dismissed. No order as to costs.

JUDGE

ssw